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Delaware Department of Justice urges the EPA to act on *Massachusetts v. EPA*

Wilmington, DE – Today, the Delaware Department of Justice joined 16 states, the Corporation Counsel for the City of New York, the City Solicitor of Baltimore, and the Pennsylvania Department of Environmental Protection in sending a letter to Lisa Jackson, the new Administrator of the Environmental Protection Agency (EPA). The letter urges her to act in response to the 2007 U.S. Supreme Court ruling in *Massachusetts v. EPA*, issued under former EPA Administrator, Stephen Johnson.

“The EPA has determined that greenhouse gas emissions pose significant risks,” said State Solicitor Lawrence Lewis. “We are urging the new Administration to act quickly to regulate greenhouse gas emissions.”

Under the federal Clean Air Act, once the EPA determines that greenhouse gases are a danger to public health or welfare, it must issue an endangerment determination and act to regulate greenhouse gas emissions. In the *Massachusetts* case, the Supreme Court declared that the EPA could not refuse to regulate greenhouse gases based on the agency’s policy preferences. In late 2007, EPA officials sent a proposed endangerment determination to the White House as an e-mail attachment, but White House officials did not open the document, and former EPA Administrator Stephen Johnson declined repeated requests to make the document public.

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